

**REMARKS**

Reconsideration is respectfully requested in view of Applicant's remarks herein. It is respectfully submitted that all claims are in condition for allowance. As explained in detail below, the claims are clearly novel over the Kai et al reference cited under 35 U.S.C. 102(e) as an anticipatory reference; therefore, the claims are allowable over the cited art.

**The anticipatory rejection based on Kai et al under 35 U.S.C. 102(e)**

In paragraph 3 of the Office Action, all claims under consideration, claims 1, 2 and 4 – 20, are rejected under 35 U.S.C. 102(e) as being anticipated by Kai et al. The rejection, upon its reconsideration, should be withdrawn and allowability there over indicated.

With respect to generic claim 1, Applicant's claimed negative resist composition includes, in addition to an alkali-soluble resin, an acid generator and a nitrogen-containing basic compound, two cross-linking agents (B-1) and (B-2).

Cross-linking agent (B-1) is a phenol compound of molecular weight of 2,000 or below and contains: at least one phenolic hydroxyl group; and one or more benzene rings having at least two cross-linking groups bonded thereto, with the cross-linking groups being selected from a hydroxymethyl group, an alkoxymethyl group and an acyloxymethyl group.

Cross-linking agent (B-2) contains at least two groups selected from the groups of formula (1) and (2) of claim 1.

The Examiner submits that Example 6 of Table 1 on page 14 of Kai et al anticipates claim 1. Example 6 of the reference contains cross-linking agents C-1 and C-2, which are defined on page 13 of Kai et al. The Examiner states that either of compounds C-1 and C-2 is

the same as compound (B-1) of claim 1 and the other meets the limitations of compound (B-2) of claim 1. As explained below, this analysis is not correct and as a result, claim 1 and the claims dependent thereon are novel over Kai et al.

Compound C-1 of Kai et al is an N-alkoxymethyl glycoluril, the structure of which is shown by formula (8) of paragraph [0078] on page 7 of Kai et al. The glycoluril compound (8) is not a phenol compound and therefore does not meet the limitations of compound (B-1) of claim 1, which compound (B-1) must contain at least one phenolic hydroxyl group. Further, the glycoluril compound C-1 of the reference does not contain the benzene rings present in cross-linking agent (B-1) of present claim 1.

The question then remains whether compound C-2 of Kai et al meets the limitations of cross-linking agent (B-1) of claim 1. Compound C-2, as set forth at paragraph [0190] on page 13 of Kai et al, is an hydroxyisopropyl benzene. On the other hand, cross-linking agent (B-1) of claim 1 requires that the cross-linking groups therein be selected from a hydroxymethyl group, an alkoxymethyl group and an acyloxymethyl group, which groups are very different structurally from the three alpha-hydroxyisopropyl groups of compound C-2 of Kai et al.

From the above, Kai et al Example 6 does not include compound B-1 of present claim 1. As a result, claim 1 and all claims dependent thereon are novel over Kai et al. The anticipation rejection based on Kai et al should be reconsidered and withdrawn.

## **Conclusion**

In view of the above, reconsideration and allowance are now believed to be in order, and are hereby solicited. If any points remain in issue which the Examiner feels may be best

resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the listed telephone number.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Brett S. Sylvester/

Brett S. Sylvester  
Registration No. 32,765

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON DC SUGHRUE/265550

**65565**

CUSTOMER NUMBER

Date: October 24, 2007